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BANGALORE, SATURDAY, NOVEMBER 26, 1966
(MARGASIRA 5, SAKA ERA 1888).

No. 202

FOOD AND CIVIL SUPPLIES SECRETARIAT

ORDER

Bangalore, dated 26th November 1966

S.O. 5789.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with No. G.S.R. 906, dated the 9th June, 1966, as subsequently amended in Order No. G.S.R. 1601, dated 11th October 1966 of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), and with the prior concurrence of the Central Government, the Government of Mysore hereby makes the following Order, namely :—

1. Title, extent and commencement.—(1) This Order may be called the Mysore Ragi Procurement (Levy) Order, 1966.

(2) It extends to the whole of the State of Mysore.

(3) It shall come into force on the 26th day of November 1966.

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2. Definitions.—In this Order, unless the context otherwise requires,—

(*a*) "Act" means the Essential Commodities Act, 1955 ;

(*b*) "Appellate Authority" means in respect of any taluk, any Officer of the rank of an Assistant Commissioner who may be specially authorised by the Deputy Commissioner of the District by Notification in the Official Gazette to exercise the powers of the Appellate Authority, and where no such Officer is authorised, the Assistant Commissioner having jurisdiction over such taluk ;

(*c*) "Enforcement Officer" means any person appointed by order by the Deputy Commissioner of the District as Enforcement Officer in respect of such area as may be specified in such order, and where no such person has been appointed for any area, the Revenue Inspector of the Circle having jurisdiction ;

(*d*) "Grower" means every person who raises Ragi on land in his possession which he holds as landholder, tenant, mortgagee with possession or in any other capacity, or in more than one such capacity ;

(*e*) "Holding" means the land or lands held by a grower ;

(*f*) "Purchase Point" means the place notified as such by the Deputy Commissioner of the District ;

(*g*) "Purchase Price" in relation to any variety of Ragi means the price fixed for the purchase of such variety of Ragi in Schedule II ;

(*h*) "Schedule" means a schedule appended to this Order ;

(*i*) "Section" means a Section of the Act ;

(*j*) "Surplus stock of Ragi" means the quantity of Ragi grown and held by a grower in excess of the total quantity required for the purposes and to the extent specified in items (b), (c) and (d) of sub-clause (3) of clause 4 ;

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(*k*) "Tahsildar" means in respect of any taluk where the Deputy Commissioner of a District has authorised an Officer of the rank of a Deputy Tahsildar by Notification in the Official Gazette to exercise the powers of the Tahsildar under this Order such Deputy Tahsildar, and where no such Officer is authorised, the Tahsildar in charge of the Taluk.

3. Levy of Ragi.—(1) Every grower shall, out of the Ragi grown in his holding and held in stock by him in respect of each crop, sell to the State Government or its authorised agent at the purchase price such quantity of Ragi in accordance with the scale specified in Schedule I as may be determined by the Enforcement Officer after taking into consideration the information available with him regarding the holding of the grower and the Ragi grown in such holding.

(2) The Enforcement Officer shall, after determining the quantity of Ragi required to be sold by a grower under sub-clause (1), serve on such grower an Order in the manner laid down in clause (b) of sub-section (5) of Section 3, specifying the quantity of Ragi to be sold the purchase point at which and the time within which such Ragi is to be delivered.

Explanation.—For the purposes of this clause and clause 5, Ragi in the possession or control of the grower immediately after it is harvested shall be deemed to be Ragi held in stock by the grower.

4. Procedure where grower considers the quantity specified in the Order under clause 3 excessive.—(1) Any grower, who considers that the quantity of Ragi to be sold by him in pursuance of the Order under sub-clause (2) of Clause 3 is excessive having regard to his requirements in respect of the matters specified in items (b), (c) and (d) of sub-clause (3) may, within seven days from the date of receipt of such Order, furnish to the Enforcement Officer information in respect of matters specified

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in items (a), (b), (c) and (d) of sub-clause (3) along with a declaration that the information furnished by him is true.

(2) On receipt of the information furnished by the grower under sub-clause (1), the Enforcement Officer shall submit such information along with other records case, if any, to the Tahsildar.

(3) The Tahsildar shall, after taking into consideration the information furnished by the grower under sub-clause (1), determine the surplus stock of **Ragi** with such grower having regard to the follwing namely :—

(*a*) Ragi grown on the holding and held in stock by the grower ;

(*b*) Ragi required by the grower for consumption by him and the members of his family including other dependents, if any for a period of twelve months, having regard to the quantities of Ragi, Jowar and Bajra grown by him on his lands and held by him in stock to be retained by him for his own consumption and for consumption by the members of his family and his other dependents, if any ;

Explanation.—The normal requirements for consumption per adult per year shall be three quintals of paddy, or two quintals of rice, or two quintals of jowar, or two quintals of Ragi, or two quintals of Bajra or two quintals of all or any of these foodgrains in the aggregate. The requirement of rice for consumption with reference to foodgrains in the aggregate may be determined in the proportion of one and half quintals of paddy being reckoned as equal to one quintal of rice.

The quantity required for consumption by a child below six years of age may be determined as half of the quantity required for consumption by an adult.

(*c*) Ragi required by the grower for seed purposes and for meeting cultivation expenses to be paid for in kind.

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Explanation,—In determing the requirements, for seed purposes, the following scales shall be adopted :—

Ragi .. .. 3 Kgs. per acre

(*d*) In the case of a grower who is a tenant cultivator liable to pay rent in kind to the landlord, Ragi not exceeding the quantity which such grower was liable to pay in kind to the landlord in accordance with clause 6 if, such grower had sold Ragi under Clause 3.

5. Ragi to be sold by a grower on determination of surplus stock.—(1) Where the surplus stock of Ragi with a grower determined by the Tahsildar under Culaus 4,

(*a*) is equal to or in excess of the quantity of Ragi required to be sold by such grower under Clause 3, then, the Tahsildar shall by order direct the grower to sell to the State Government or its authorised agent, at the purchase price, the quantity of Ragi required to be sold in accordance with Clause 3 ;

(*b*) is less than the quantity of Ragi required to be sold by a grower under Clause 3 the Tahsildar shall by order direct the grower to sell to the State Government or its authorised agent at the purchase price the quantity of Ragi determined under sub-clause (3) of Clause 4 as surplus stock of Ragi available with the grower.

(2) The Tahsildar shall after determining the quantity of Ragi required to be sold by a grower serve on such grower an order in the manner laid down in Clause (b) of sub-section (5) of Section 3 specifying the quantity of Ragi to be sold, the purchase point at which and the time within which such Ragi is to be delivered.

6. Liability of tenant for payment of rent in cash in lieu of rent in kind.—(1) Where a grower who is a tenant

liable to pay rent in kind to the landlord sells Ragi to the State Government or its authorised agent under Clause 3 or Clause 5, the rent payable by him, shall, as far as possible, be partly in cash and partly in kind, the amount payable in cash and kind being determined in accordance with provisions of sub-clause (2).

(2)(*a*) The part of the rent payable in cash under sub-clause (1) from out of the amount of purchase price received by the grower shall be in the same proportion as the rent payable in kind by such tenant to the landlord bears to the total quantity of Ragi grown on the land.

(*b*) The part of rent payable in kind under sub-clause (1) shall be the quantity of Ragi payable as rent after deducting the quantity in respect of which the rent is payable in cash under paragraph (*a*).

Illustration.—'A', a grower, holds 5 acres of irrigated land leased to him by the landlord 'B'. 'A' grows 25 quintals of Ragi on the land of which he is liable to pay as rent to 'B' 5 quintals. 'A' sells 5 quintals to the State Government or its authorised agent under Clause 3 or under Clause 5. As the rent payable is 1/5th of the quantity grown, 'A' will be liable to pay 1/5th of the purchase price received by him as cash rent and as rent in kind 4 quintals of Ragi.

7. Restrictions on the sale of Ragi by grower.—No grower shall, out of the Ragi grown in his holding and held in stock by him in respect of any crop sell or otherwise dispose of any Ragi unless the quantity of Ragi required to be sold by him under this Order has been delivered as required under Clause 3 or Clause 5, as the case may be,

8. Enforcement Officer to grant certificate regarding Ragi sold.—The Enforcement Officer shall, after verifying that the quantityo f Ragi required to be sold by a grower under the provisions of this Order, has been delivered to

the State Government, or its authorised agent, at the purchase point specified in the Order served under sub-clause (2) of Clause (3) or under sub-clause (2) of Clause 5, as the case may be, grant a certificate to such grower indicating that the quantity of Ragi required to be sold by such grower has been sold by him.

9. Appeal.—(1) Any grower aggrieved by an Order of the Tahsildar under Clause 5, may within fourteen days from the date of receipt of such Order, prefer an appeal to the Appellate Authority.

(2) No appeal under sub-clause (1) shall be entertained unless proof is produced to the satisfaction of the Appellate Authority that the quantity of Ragi which the appellant is liable to sell to the State Government on the basis of the calculations made by him, has been sold.

(3) The Appellate Authority shall, after giving the appellant a reasonable opportunity of being heard, pass such orders on the appeal as it thinks fit.

10. Revision.—The Deputy Commissioner of the District may, at any time, call for and examine the records of any proceedings under this Order of any Officer subordinate to him, and if he considers that the levy of Ragi as determined by such Officer is less than what is required to be sold, under Clause 3 or under Clause 5, as the case may be, he may, after giving the person affected a reasonable opportunity of being heard, enhance the quantity of Ragi required to be sold by such person.

11. Powers of entry, search, seizure, etc.—(1) Any Officer of the Department of Food Supplies or the Revenue Department not below the rank of a Revenue Inspector may, with a view to securing compliance with this Order, or to satisfying himself that the provisions of this Order have been complied with;

(a) enter into, or search any premises, vehicles, vessels or other conveyances in which he has reason to believe that a contravention of this Order has been, is being, or is about to be committed ;

(b) seize the stock of Ragi along with the packages, coverings or receptacles in which such Ragi is found and the animals, vehicles, vessels or other conveyances used in carrying such Ragi in respect of which the Officer has reason to believe that a contravention of this Order, has been, is being or is about to be committed.

(2) The provisions of Sections 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898) relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

SCHEDULE I

SCALE OF RAGI

(*See* Clause 3(1)

Sl. No.	Scale	Lands Irrigated under (a) Government sources of irrigation (b) wells	Other lands
1	In respect of every acre of the first 10 acres of the holding of the grower.	.1 Quintal per acre	25 K. G. per acre
2	In respect of every acre of the remaining acres of the grower.	2 Quintals per acre	30 K. G. per acre

Proviso : There shall be no levy in respect of a holding the extent of which is only one acre or less ;

SCHEDULE II

PURCHASE PRICE

[*See* Clause 2(g)]

Sl. No.	Variety	Purchase price per quintal
1	Ragi	Rs. 52--00

Specification for Ragi

General characteristics :—Ragi shall

(a) be the dried mature grains of Eleusine coracana ;
(b) have uniform size, shape and colour
(c) be sweet, hard, clean, wholesome and free from moulds, weevils, abnoxious smell, discolouration, admixture of deleterious substances and all other impurities except to the extent indicated in the schedule below ;
(d) be in sound merchantable condition ;
(e) not have moisture exceeding 13 per cent.

Schedule showing Maximum Tolerance Limits

Grade Designation	%Foreign matter	%Other foodgrains	%Damaged grains	%Slight by damaged grains	Immature and shrivelled grains %	%Webs	Price to be paid Rs.
F. A. Q. ...	2.0	1.0	1.0	2.0	2.0	0.1	50—00
One grade below...	3.0	2.0	2.0	3.0	3.0	0.2	49—00
Two grades below	4.0	3.0	3.0	4.0	4.0	0.2	47—50

Definitions:

Foreign matter.—It includes dust, stones, lumps of earth, chaff, stem or straw and any other impurity including non-edible seeds.

Other foodgrains.—Edible foodgrains other than Ragi.

Damaged grains.—Grains that are internally damaged or discoloured, damage and discolouration materially affecting the quality.

Slightly damaged grains.—Grains that are superficially damaged or discoloured, damage and discolouration not materially affecting the quality.

Immature and shrivelled grains.—Grains that are not properly developed.

[No. FSD 134 RPR 66(3).]

By Order and in the name of the Governor of Mysore,

N. Narasimha Rau,
Secretary to Government,
Food and Civil Supplies Department.

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FORM IV.

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